

UNITED STATES DISTRICT COURT

FOR THE

District of

PUERTO RICO

UNITED STATES OF AMERICA

JUDGMENT IN A CRIMINAL CASE

V.

LYDIA GARCIA GONZALEZ

Case Number: CR. 03-355-07 (CCC)

USM Number: 41665-018

LESLIE ALVARADO, ESQ.

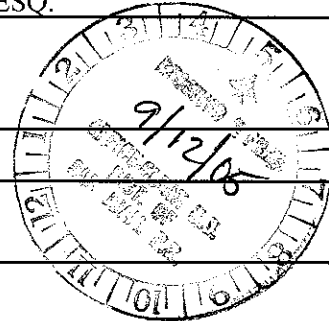
Defendant's Attorney

THE DEFENDANT:

X pleaded guilty to count(s) THREE AND FOUR.

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.

☐ was found guilty on count(s) _____
after a plea of not guilty.



The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18:1957 and 2	Conspiracy to commit money laundering and aiding and abetting.		Three
18:1957	Money Laundering		Four

The defendant is sentenced as provided in pages 2 through _____ of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____

X Count(s) ANY REMAINING COUNTS ☐ is X are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

SEPTEMBER 12, 2005

Date of Imposition of Judgment

Signature of Judge

CARMEN C. CEREZO, U.S. DISTRICT JUDGE

Name and Title of Judge

SEPTEMBER 12, 2005

Date

DEFENDANT: LYDIA GARCIA-GONZALEZ
CASE NUMBER: CR. 03-355-7 (CCC)

PROBATION

The defendant is hereby sentenced to probation for a term of : ONE (1) YEAR.

The defendant shall not commit another federal, state or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter, as determined by the court.

- ☐ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- ☒ The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon. (Check, if applicable.)
- ☒ The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- ☐ The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes a fine or restitution, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: LYDIA GARCIA GONZALEZ
CASE NUMBER: CR. 03-355-7 (CCC)

ADDITIONAL PROBATION TERMS

1. The defendant shall not commit another Federal, state, or local crime, and shall observe the standard conditions of probation recommended by the United States Sentencing Commission and adopted by this Court.
2. The defendant shall not unlawfully possess a controlled substances.
3. The defendant shall refrain from possessing firearms, destructive devices, and other dangerous weapons.
4. The defendant shall refrain from any unlawful use of a controlled substances and submit to a drug test within 15 days of release. Thereafter, she shall submit to random drug test, not to exceed 104 samples per year in accordance with the Drug Aftercare Program Policy of the U.S. Probation Office approved by this Court. If any such samples detect substance abuse, the defendant shall participate in a drug treatment program (in-patient or out-patient) in accordance with such policy. The defendant is required to contribute to the cost of services rendered (co-payment) based on the ability to pay or availability of third party payments, as approved by the Court.
5. The defendant shall provide the U.S. Probation Officer access to any financial information upon request.
6. The defendant shall produce evidence to the U.S. Probation Officer to the effect that income tax returns have been duly filed with the Commonwealth of Puerto Rico Department of Treasury or place of residence.
7. The defendant shall participate in the mental health program for evaluation and/or treatment purposes, including medication if necessary, as arranged by the U.S. Probation Office, in accordance with the Mental Health Program Policy of the U.S. Probation Office approved by this Court, until duly discharged by authorized program personnel, with the approval of the U.S. Probation Officer.
8. The defendant shall be placed in Home Confinement for a period of four (4) months, to commence within thirty (30) days of being placed on probation. During this time, defendant shall remain at her place of residence, except for employment or other activities approved in advance by the probation officer. Defendant shall maintain a telephone at her place of residence without any special features, modems, answering machines, or cordless telephones during the term of electronic monitoring. The defendant shall wear an electronic device and shall observe the rules specified by the probation office. The defendant is ordered to pay the amount of \$3.16 daily for the cost of the Electronic Monitoring Device. She shall not leave the judicial district to which she is sentenced or released during the term of electronic monitoring.

Pursuant to Title 21, U.S. Code, Sections 882(a)(1), the defendant shall forfeit to the United States the property located at "solar #1 del bloque f (f-1, Urbanizacion Pedregales, located in Cienaga Baja Ward in Rio Grande, Puerto Rico, as well as all assets and properties, or portions thereof, related to the offense, and any substitute assets, as stipulated by her in the Plea Agreement.

The defendant shall cooperate in the collection of a DNA samples as directed by the U.S. Probation Officer, pursuant to the Revised DNA collection Requirements, and Title 18, U.S. Code § 3563(a)(9).

Having considered defendant's financial condition, a fine is not imposed.

DEFENDANT: LYDIA GARCIA GONZALEZ
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CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
TOTALS	\$ 200.00	\$ -----	\$ -----

☐ The determination of restitution is deferred until _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
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TOTALS	\$ _____	\$ _____
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☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.